

REMARKS

Claims 30-37 and 41-58 are pending in the present application. Claims 38-40 were cancelled by previous amendment. Claims 30-37, 41-48, 57 and 58 have been amended herein without prejudice. Support for the amendments to the claims can be found, for example, in the Specification at pages 6-7, paragraphs 0023-0025, and in Figure 1. No new matter has been added. Reconsideration of the application is respectfully requested.

Information Disclosure Statement

A Supplemental Information Disclosure Statement is submitted herewith for the Examiner's consideration.

Rejections Under 35 U.S.C. § 112

Claims 30-37 and 41-58 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully submits that the amendments made herein to claims 30, 31, 57 and 58 have rendered this rejection moot. Accordingly Applicant respectfully requests withdrawal of the rejection of claims 30-37 and 41-58.

Rejections Under 35 U.S.C. § 102

Claims 30 and 58 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,070,112 to Tsunazawa et al. ("Tsunazawa").

Tsunazawa describes a spectrophotometer in which a monochromatic light beam L travels through a sample cell 19 and is then divided by a beam divider 20. *See*, Tsunazawa, column 3, lines 31-39.

Independent claims 30 and 58 have been amended so as to recite "a first deflecting device configured to deflect a portion of the spectrally split light beam so as to provide a deflected first spectral region and an undeflected second spectral region." It is respectfully submitted that Tsunazawa does not teach or suggest a first deflecting device that deflects a portion of a spectrally

split light beam so as to provide a deflected first spectral region and an undeflected second spectral region, as recited in claims 30 and 58. In contrast, the light L of Tsunazawa is monochromatic, not spectrally split, as recited in claims 30 and 58. See Tsunazawa, column 3, lines 30-31. Moreover, the light divider 20 of Tsunazawa merely reflects about 10% of the received monochromatic light L and transmits the remaining about 90% of the light. See Tsunazawa, column 3, lines 37-39. The reflected and transmitted light portions of Tsunazawa have the same spectral composition. Thus, the light divider 20 of Tsunazawa does not provide a deflected first spectral region and an undeflected second spectral region, as recited in claims 30 and 58.

Because Tsunazawa fails to teach the above-recited features of independent claims 30 and 58, this reference cannot anticipate claims 30 or 58.

Reconsideration and withdrawal of the rejection of claims 30 and 58 under 35 U.S.C. § 102 based on Tsunazawa is respectfully requested.

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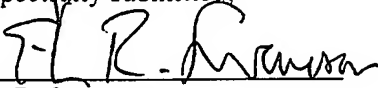
Docket No.: 20797/0204642-US0

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance.

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Respectfully submitted,

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